

REMARKS

Formal Matters

Claims 1-25, 27, 29-35 and 37 are pending and were rejected.

Claims 1, 24, 27, 29 and 34 were amended. Support for the amendment to claim 24 is found in original claim 12 and cancelled claims 26 and 28, and support for the amendment to claim 34 is found in cancelled claim 36. The dependency of claims 27 and 29 is amended. No new matter is added.

Claims 26, 28 and 36 were cancelled solely to expedite prosecution and without any intention to acquiesce to the correctness of any objection or rejection.

The Applicant respectfully requests reconsideration of the application in view of the remarks made herein.

Rejections under 35 U.S.C. § 102(e)

Claims 1-37 are rejected as anticipated by Schultz (U.S.P.N. 6,627,882). The Applicants respectfully traverse this rejection.

An element of claims 1-6 is a “manifold having a plurality of nozzles, each of said nozzles having a channel and a *plurality* of openings operatively connected to said channel”. This element is not disclosed by Schultz.

The Office points towards Figs. 5A and 5B as support for this element in Schultz’s disclosure. However, Figs. 5A and 5B merely show a manifold having nozzles that have a channel and a *single* opening operatively connected to the channel. In other words, Figs. 5A and 5B show nozzles containing a channel, but those nozzles contain a *single* opening connected to the channel. This is in contrast to what is being claimed, which requires a *plurality* of openings connected to the channel.

The Applicants respectfully submit that the above-recited claim element is not disclosed by Schultz at any position in Schultz’s disclosure. Accordingly, Schultz cannot anticipate the subject matter of claims 1-6.

An element of claims 4, 7-12, 19 and 31 is “an electrode for producing an electric potential at said reservoir to induce liquid flow from said reservoir to said manifold”. This element is not disclosed by Schultz.

The Office points towards col. 11, lines 30-32; col. 12, lines 1-7; and col. 18, lines 3-7 as support for this element in Schultz’s disclosure (via the rejection of claim 4). However, col. 11, lines 30-32; col. 12, lines 1-7; and col. 18, lines 3-7 merely discuss an electrode that is present as part of the nozzle itself that aids spraying of a sample from the nozzle. In other words, the parts of Schultz’s disclosure to which the Office refers merely discuss a spray nozzle electrode, not an electrode for producing an electric potential at a reservoir to induce liquid flow from the reservoir to a manifold, as required by the claims.

The Applicants respectfully submit that the above-recited claim element is not disclosed by Schultz at any position in Schultz’s disclosure. Accordingly, Schultz cannot anticipate the subject matter of claims 4, 7-12, 19 and 31.

An element of claims 13-23 is “a counter electrode assembly having an ion passageway”. This element is not disclosed by Schultz.

The Office has provided no support for Schultz disclosing this element.

The Applicants respectfully submit that the above-recited claim element is not disclosed by Schultz at any position in Schultz’s disclosure. Accordingly, Schultz cannot anticipate the subject matter of claims 13-23.

An element of claims 12, 24, 25, 27 and 29-33 is “a plurality of spaced tips that contain said openings and wherein each of said tips has a central longitudinal axis and the central longitudinal axes of said tips converge at an area in front of said tips”. In other words, the manifold contains tips having longitudinal axes that converge (i.e., come together) at an area in front of the tips. This element is not disclosed by Schultz.

The Office points towards Fig. 3 and col. 20, lines 27-31 as support for tips in Schultz’s disclosure. However, these parts of Schultz’s disclosure do not discuss any tips that converge.

The Applicants respectfully submit that the above-recited claim element is not disclosed by Schultz at any position in Schultz’s disclosure. Accordingly,

Schultz cannot anticipate the subject matter of claims 12, 24, 25, 27 and 29-33.

An element of claims 34, 35 and 37 is “employing an electrode to convey said liquid from a reservoir of said liquid to a manifold”. In other words, the claimed method involves conveying a liquid from a reservoir to a manifold using an electrode.

As discussed above, this element is not disclosed by Schultz. The Office points towards col. 11, lines 30-32; col. 12, lines 1-7; and col. 18, lines 3-7 as support for an electrode for conveying a liquid from a reservoir to a manifold in Schultz’s disclosure (via the rejection of claim 4). However, col. 11, lines 30-32; col. 12, lines 1-7; and col. 18, lines 3-7 merely discuss an electrode that is present as part of the nozzle itself and aids spraying of a sample from the nozzle. In other words, the parts of Schultz’s disclosure to which the Office refers discuss a spray nozzle electrode, not an electrode for producing an electric potential at a reservoir to induce liquid flow from the reservoir to the manifold, as required by the claims.

The Applicants respectfully submit that the above-recited claim element is not taught by Schultz at any position in Schultz’s disclosure. Accordingly, Schultz cannot anticipate the subject matter of claims 34, 35 and 37.

In summary, the Applicants respectfully submit that Schultz fails to disclose at least one element of all of the pending claims, and, as such, cannot anticipate any of the pending claims. In view of the foregoing discussion, withdrawal of this rejection is respectfully requested.

CONCLUSION

The Applicant respectfully submits that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone Timothy Joyce at 650 485 4310. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-1078.

Respectfully submitted,

Date: _____

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By: _____

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